

## Message Text

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INFO OCT-01 ACDA-19 ISO-00 /023 R

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DRAFTED BY: IO/UNP:TSCULLY  
APPROVED BY: D/LOS:SHMCINTYRE  
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R 170027Z JUL 74  
FM SECSTATE WASHDC  
TO ALL DIPLOMATIC POSTS  
CINCLANT  
CINCPAC  
XMT AMEMBASSY CARACAS  
AMEMBASSY ANKARA  
AMEMBASSY ATHENS  
AMEMBASSY NICOSIA

C O N F I D E N T I A L STATE 154143

CINCLANT FOR POLAD; CINCPAC FOR POLAD

FOLLOWING REPEAT CARACAS 6505 SENT SECSTATE INFO USUN NEW YORK  
DATED JULY 13.

QUOTE

C O N F I D E N T I A L CARACAS 6505

FROM US DEL LOS

DEPT PLEASE PASS ALL DIPLOMATIC POSTS EXCEPT CARACAS/FOR INFO.

E.O. 11652: GDS  
TAGS: PLOS  
SUBJECT: LOS: WEEKLY ANALYTICAL SUMMARY JULT 5 TO 11

1. SUMMARY. GENERAL DEBATE STATEMENTS CONTINUED THROUGH  
WEEK AND EXPECTED AND EARLY NEXT WEEK. STEVENSON STATE-  
MENT (TEXT SENT ALL POSTS) AT WEEKS END INTENDED DRAW  
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TOGETHER THREADS OF BROAD OUTLINE OF EMERGING GENERAL AGREEMENT  
AND EMPHASIZE INSUFFICIENCY OF AGREEMENT ON GENERAL PRINCIPLES  
WITHOUT NECESSARY POLITICAL DECISIONS AND SPECIFIC TREATY TEXTS  
ESTABLISHING BALANCE OF RIGHTS AND DUTIES IN ALL ELEMENTS OF

ACCEPTABLE OVERALL PACKAGE. SPEECH GENERALLY WELL RECEIVED. UNEP DIRECTOR MAURICE STRONG PROPOSED EXTENSIVE LIST ENVIRONMENTAL FORMULATIONS FOR CONFERENCE CONSIDERATION. OTHER PLENARY STATEMENTS CONTINUED TO INDICATE SUBSTANTIAL AGREEMENT 12 MILE TERRITORIAL SEA AND 200 MILE ECONOMIC ZONE WITH POSITIONS OTHER ESSENTIAL ELEMENTS LOS PACKAGE (STRAITS, RIGHTS AND DUTIES WITHIN ZONE, NATURE OF SEABED REGIME) VARYING IN ACCORDANCE BOTH GEOGRAPHY AND MULTILATERAL POLITICS. ORGANIZATION WORK OF MAIN COMMITTEES PROCEEDING DURING GENERAL DEBATE PERIOD. ON JULY 12, CONFERENCE DECIDED BY CONSENSUS TO GRANT OBSERVER STATUS FOR PALESTINE LIBERATION ORGANIZATION AND AFRICAN LIBERATION MOVEMENTS UNDER FORMULATION GENEVA CONFERENCE LAWS OF WAR. END SUMMARY.

2. PLENARY STATEMENTS: MOST STATEMENTS SUPPORTED 12 MILE TERRITORIAL SEA, 200 MILE ECONOMIC ZONE, AND FREEDOM OF NAVIGATION WITHIN ZONE. SEVERAL AFRICAN AND ARAB STATES ENDORSED UNIMPEDED PASSAGE REGIME FOR STRAITS AND PRIVATE CONVERSATIONS INDICATE GROWING WILLINGNESS SUPPORT REGIME WHICH MEET MARITIME NEEDS IF PROPER BALANCE REACHED BETWEEN RIGHTS OF PASSAGE AND LEGITIMATE INTERESTS COASTAL STATES. NUMBER OF LDC PLENARY STATEMENTS ON POLLUTION SHOWING TREND TOWARD LIMITING COASTAL JURISDICTION TO ENFORCEMENT WITHIN ZONE OF INTERNATIONAL POLLUTION STANDARDS AND SOME INCLUDED FAVORABLE REFERENCES IMCO. ON SCIENTIFIC RESEARCH NUMBER OF STATES CONTINUED HARDLINE FAVORING COASTAL STATE CONTROL SCIENTIFIC RESEARCH WITHIN ZONE. STEVENSON SPEECH POINTED OUT US WILLINGNESS TO NEGOTIATE ON BASIS 200 MILE ECONOMIC ZONE DOES NOT INCLUDE ACCEPTANCE OF REQUIREMENT OF COASTAL STATE CONSENT FOR SCIENTIFIC RESEARCH AND COASTAL STATE CONTROL OVER VESSEL-SOURCE POLLUTION WITHIN ZONE. ON FISHERIES JURISDICTION WITHIN COASTAL ZONE, DIFFERENCES CENTER ON RIGHT OF ACCESS FOR FOREIGN FISHING FLEETS TO TAKE CATCH WHICH COASTAL STATE UNABLE TO HARVEST, COASTAL STATE CONTROL OVER SALMON, AND INTERNATIONAL REGIME FOR TUNA. WITH RESPECT TO DEEP SEABED REGIME, MOST DEBATE STATEMENTS SUPPORTED STRONG AUTHORITY WITH POWER TO CONFIDENTIAL

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ESTABLISH PRODUCTION CONTROLS, AND EFFORT IN WHICH LDC INCLINATIONS BEING REINFORCED BY CANADIAN AND AUSTRALIAN TACTICS IN DEFENSE THEIR DOMESTIC HARD MINERAL RESOURCES. LANDLOCKED STATES CONTINUED EMPHASIZE THEIR INTEREST ACCESS TO SEA.

3. MAIN COMMITTEE REPORTS FOR CURRENT STATUS ORGANIZATION OF COMMITTEE WORK SEE UNCLASSIFIED WEEKLY SUMMARY.

4. COMMITTEE 1 (SEABED REGIME) CHAIRMAN OF COMMITTEE (ENGO, CAMEROON) WAS DISSUADED FROM HIS ORIGINAL PLAN OF TWO WEEK GENERAL DEBATE AND REFUSAL TO CREATE WORKING GROUP UNDER PINTO'S CHAIRMANSHIP BY COMBINED EFFORTS OF GROUP OF FIVE AND SEVERAL KEY LDC LEADERS IN COMMITTEE.

CURRENT WORK PROGRAM CALLS FOR ONE WEEK GENERAL DEBATE TO BE FOLLOWED BY THIRD READING OF REGIME AND MACHINERY TEXTS IN INFORMAL COMMITTEE AS A WHOLE MEETINGS HEADED BY PINTO. WE BELIEVE SUCCESS IN GETTING INFORMAL MEETINGS STARTED AT EARLIER DATE CAN BE ATTRIBUTED TO GENERAL DESIRE ON PART OF ALL DELS TO BEGIN CONSTRUCTIVE DISCUSSION AND NEGOTIATION ON KEY ISSUES IN C-I.

A. LATINS CAREFULLY RESERVED RIGHT TO CONDUCT GENERAL DEBATE ON ECONOMIC IMPLICATIONS ISSUE AT SOME LATER TIME, ALTHOUGH THEIR INSISTENCE THAT UNCTAD OFFICIAL BE INVITED TO SPEAK TO C-I NEXT WEEK CAN BE INTERPRETED AS MOVE TO INITIATE DEBATE EARLY. TACIT ACCEPTANCE OF LATINS' RIGHT TO RAISE ECONOMIC IMPLICATIONS ISSUE HAS AT SAME TIME RESERVED RIGHT OF U.S. TO BRING UP SUBJECT OF RULES AND REGULATIONS SINCE TWO SUBJECTS HAVE BEEN CONSIDERED AS PROCEDURALLY IDENTICAL IN COMMITTEE.

B. C-I HEAR

STATEMENTS BY GERMAN DEMOCRATIC REPUBLIC, SRI LANKA, AUSTRALIA, PSMU, CANADA AND CHILE ON JULY 11. ALL STATEMENTS STRESSED IMPORTANCE OF REACHING OF A NEGOTIATED SOLUTION ON EXPLOITATION SYSTEM AS FIRST ORDER OF BUSINESS FOR COMMITTEE, AND WITH EXCEPTION OF PERU, THERE WAS PRONOUNCED TREND TOWARDS RECOGNIZING NEED TO CREATE EXPLOITATION SYSTEM THAT ATTRACTS CAPITAL AND TECHNOLOGY OF INDUSTRIALIZED NATIONS. WHILE CANADA AND AUSTRALIA REITERATED SUPPORT FOR PARALLEL LICENSING CONFIDENTIAL

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AND DIRECT EXPLOITATION SYSTEM, PERU SUGGESTED THAT DUAL SYSTEM WAS DEvised BY INDUSTRIALIZED NATIONS TO PROTECT LICENSING APPROACH AND WAS A FALSE AND TOTALLY UNACCEPTABLE COMPROMISE.

C. STATEMENT BY SRI LANKA REP (PINTO) CONSTITUTED FIRST ON THE RECORD SUPPORT BY LDC DEL FOR INCLUSION OF SPECIFIC PROVISIONS ON CONDITIONS OF EXPLOITATION IN CONVENTION. IN ADDITION, SRI LANKA STATEMENT ADDRESSED ISSUE OF REGULATION OF SCIENTIFIC RESEARCH IN COMPROMISING TONE, SUGGESTING THAT ONLY LDC INTEREST IN REGULATION WAS TO PROTECT ENVIRONMENT AND ENSURE DISSEMINATION OF DATA. ALSO INCLUDED WAS STRONG ENDORSEMENT OF NEED FOR COMPULSORY DISPUTE SETTLEMENT FOR DEEP SEABEDS AND SUGGESTION THAT COMPROMISES BETWEEN DEVELOPED AND DEVELOPING COUNTRY POSITIONS ON STRUCTURE OF AUTHORITY, VOTING IN COUNCIL AND PRODUCTION CONTROLS COULD BE FOUND. AUSTRALIAN AND TO LESSER EXTENT CANADIAN STATEMENTS CLEARLY DEMONSTRATED INTEREST OF TWO COUNTRIES IN PRODUCTION CONTROLS FOR PURPOSE OF PROTECTING DOMESTIC PRODUCTION OF COPPER AND NICKEL.

5. COMMITTEE II. WORK IS EXPECTED TO PROCEED AS PROPOSED

BY CHAIRMAN (AGUILAR) WITH FORMAL CONSIDERATION ITEMS IN MORNING SESSIONS AND AFTERNOONS DEVOTED TO INFORMAL DRAFTING SESSIONS ON VARIANTS EACH ITEM CONSIDERED. AGUILAR WILLING TO PRESIDE OVER SUCH GROUPS, AND SEEMS INTENT ON MOVING WORK FORWARD IN THIS WAY, AVOIDING POLITICAL AND OTHER PROBLEMS INVOLVED IN CREATING FORMAL WORKING GROUPS AND SELECTING ADDITIONAL CHAIRMEN. NEW UK ARTICLES ON TERRITORIAL SEA AND STRAITS BEING WELL RECEIVED. INFORMAL GROUP OF EXPERTS (EVANSEN GROUP) CONCENTRATING ON ECONOMIC ZONE, AND GROUP OF FIVE MEETING REGULARLY TO PLAN INPUT.

PERU'S GENERAL STATEMENTS IN PLENARY AND COMMITTEE II VERY HARD LINE INSISTING ON FULL SOVEREIGNTY AND JURISDICTION EXCEPT FOR NAVIGATION AND OVERFLIGHT, AND INCLUDING STRONG ATTACK THAT MARITIME POWER CONDITIONS TO ACCEPTANCE 200 MILE ZONE WERE A "TROJAN HORSE" USDEL CONTINUING PRIVATE EXPLORATIONS WITH LATINS AND AFRICANS ON TUNA QUESTION, AND ALONG WITH MICRONESIANS, CONFIDENTIAL

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MET WITH JAPANESE TO EXPLAIN NEED FOR ACCOMMODATION. INDONESIA (DJALAL) APPARENTLY MADE SYMPATHETIC BUT ESSENTIALLY NEGATIVE RESPONSE TO MICRONESIAN INQUIRY ON APPLICABILITY OF ARCHIPELAGO CONCEPT TO MICRONESIA, AND INDICATED WILLINGNESS TO ACCOMMODATE MARITIME POWER TRANSIT CONCERNS BY REDEFINING INNOCENT PASSAGE FOR ARCHIPELAGOS. CANADA IS FEARFUL THAT INDIAN PUSH FOR ARCHIPELAGO AND FOR CONTINENTAL MARGIN TO 1,000 MILES MAY CAUSE NEGATIVE REACTION BOTH ISSUES.

6. COMMITTEE III (SCIENTIFIC RESEARCH AND POLLUTION).

A. SOME LDCS HAVE LINKED PROGRESS ON POLLUTION WORK TO NEGOTIATION RESOURCE ZONE IN COMMITTEE II WITH INDIAN DEL DETERMINED TO HAVE COMMITTEE BEGIN POLLUTION DISCUSSION WITH FIRST AGENDA ITEM RATHER THAN WHERE SEABEDS COMMITTEE LEFT OFF, WHICH MAY BE ATTEMPT TO GAIN GREATER LDC EXCEPTION FROM ENVIRONMENTAL OBLIGATIONS. CANADA PUSHING FOR POLLUTION WORK TO BEGIN IMMEDIATELY AND TO INITIATE DISCUSSIONS ON ZONAL APPROACH TO POLLUTION CONTROL. USDEL ASSESSMENT IS THAT COMMITTEE III WILL NOT BEGIN NEGOTIATING SESSIONS UNTIL MIDDLE OF FIFTH WEEK AND LIKELY MOVE SLOWLY FOR SOME TIME. US AND CANADIAN REPS INFORMALLY DISCUSSED POTENTIAL ACCOMMODATION ON POLLUTION ISSUE WITH CANADIANS EXPRESSING TENTATIVE WILLINGNESS TO LIMIT SPECIAL RULES ON "HULL CONSTRUCTION" TO "ICE-BOUND" WATERS." CANADIANS PLACED GREAT EMPHASIS ON SOVIET "HYPOCRASY" OF MAKING EVEN MORE EXTENSIVE CLAIMS OVER ARCTIC THAN CANADA BUT LETTING CANADA TAKE THE HEAT.

B. ON SCIENTIFIC RESEARCH, COMMITTEE CHAIRMAN YANKOV IN GENERAL DEBATE STATEMENT MADE AMBIGUOUS REFERENCE TO COASTAL STATE CONSENT TO SCIENTIFIC RESEARCH IN CONTRAST

TO STRONG SOVIET SUPPORT FOR FREEDOM SCIENTIFIC RESEARCH  
IN ECONOMIC ZONE. SOVIETS DENIED PRIOR KNOWLEDGE OF SPEECH  
WHEN QUERIED RE SIGNIFICANCE. WE UNCERTAIN WHETHER COMMENT  
ACCIDENTAL AMBIGUITY OR EFFORT BY YANKOV TO STRENGTHEN  
POSITION IN COMMITTEE.

7. INVITATION TO LIBERATION MOVEMENTS. THE CONFERENCE  
AGREED BY CONSENSUS JULY 12 TO INVITE LIBERATION MOVE-  
MENTS RECOGNIZED BY OAU AND LEAGUE OF ARAB STATES (A  
TOTAL OF 12 ORGANIZATIONS INCLUDING PLO). ISRAEL MADE  
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STRONG STATEMENT AGAINST INVITATION TO PLO. THE US REP  
DISASSOCIATED US FROM INVITATION. SOUTH AFRICA  
STATED IT DID NOT SUPPORT CONSENSUS, AND RRANCE AND  
PORTUGAL INDICATED THEIR RESERVATIONS. UNTIL LAST  
MINUTE LATING AMERICAN GROUP WAS DEEPLY DIVIDED ON THIS  
QUESTION WITH MANY OPPOSING INVITATION. THERE WAS CONCERN  
THAT DIVISIVE ISSUES WOULD BE INTRODUCED AND  
THAT ADDITIONAL LIBERATION MOVEMENTS MIGHT BE INCLUDED  
LATER. ISRALE DID NOT INSIST ON ISSUE BEING PUT TO A  
VOTE, APPARENTLY BEING SATISFIED WITH LARGE NUMBER (35)  
OF ABSTENTIONS WHEN QUESTION OF COMPETENCE OF CONFERENCE  
TO EXTEND INVITATION AT ALL WAS PUT TO A VOTE JULY 11.  
STEVENSON UNQUOTE KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 27 JUL 1999  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW OF THE SEA, MEETINGS, MEETING REPORTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 17 JUL 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** elyme  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974STATE154143  
**Document Source:** ADS  
**Document Unique ID:** 00  
**Drafter:** IO/UNP:TSCULLY  
**Enclosure:** n/a  
**Executive Order:** 11652 GDS  
**Errors:** n/a  
**Film Number:** D740191-0770  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1974/newtext/t19740789/abbryzrg.tel  
**Line Count:** 246  
**Locator:** TEXT ON-LINE, TEXT ON MICROFILM  
**Office:** ORIGIN IO  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 5  
**Previous Channel Indicators:**  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** elyme  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 16 APR 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <16 APR 2002 by boyleja>; APPROVED <25-Sep-2002 by elyme>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LOS: WEEKLY ANALYTICAL SUMMARY JULT 5 TO 11  
**TAGS:** PLOS, PBOR, VE  
**To:** ALL DIPLOMATIC POSTS  
CINCLANT  
CINCPAC  
XMT CARACAS  
ANKARA  
ATHENS  
NICOSIA

**Type:** TE

**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005